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Attorneys for Defendant,
CHRISTINA SANCHEZ

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

SECOND IMAGE, INC., a California
corporation

Plaintiff,

vs.

RON SIN PHOTOCOPY, INC., a California
Corporation; CHRISTINA SANCHEZ, an
individual; and DOES 1-10

Defendants.

Case No. C 07 5242 PJH

**DECLARATION OF STEPHEN L. DAHM
IN SUPPORT OF MOTION FOR RELIEF
FROM ORDER SETTING INITIAL CASE
MANAGEMENT CONFERENCE**

Dept.: 3, Hon. Phyllis J. Hamilton

AND RELATED CROSS-CLAIM

I, Stephen L. Dahm, declare:

1. I am an attorney admitted to practice before this Court, and I am attorney of record for defendant Christina Sanchez ("Sanchez" or "defendant Sanchez").

2. Defendant Sanchez requests relief from the Court's Order Setting Initial Case Management Conference because the parties have not yet been able to meet and confer as required by Fed. R.Civ. P. 26(f) with respect to those subjects set forth in Fed. R. Civ. P. 16(c) to prepare a Joint Case Management Statement addressing each of the items listed in the "Standing Order For All Judges of the Northern District—Contents of Joint Case Management Statement." The parties have not yet been able to meet and confer on these

1 subjects because defendant Second Image, Inc. objected to the Court's jurisdiction, and the
2 Court sustained Second Image's objection to the extent that the Court ordered plaintiff to file
3 an Amended Complaint. The First Amended Complaint was filed on December 28, 2007, and
4 defendants have until January 17, 2008 to file responsive pleadings. Defendant Second
5 Image, Inc. takes the position that it is not yet subject to the Court's jurisdiction and therefore
6 cannot properly meet and confer as required by Rule 26(f).

7 3. On January 4 and January 7, 2008, via e-mail correspondence among the
8 parties, defendants Second Image, Inc. and Christina Sanchez attempted to obtain a
9 stipulation from plaintiff to continue the date for the Initial Case Management Conference,
10 but plaintiff has not agreed to so stipulate.

11 4. If the Initial Case Management Conference is not continued, defendant
12 Sanchez will suffer substantial prejudice because she will not have the benefit of Fed. R. Civ.
13 P. 26(f) disclosures prior to the Initial Case Management Conference with respect to those
14 subjects set forth in Fed. R. Civ. P. 16(c).

15 5. To my knowledge there have been no previous time modifications in this case.

16 6. The effect of this requested time modification on the schedule for the case will
17 be to extend, by approximately six weeks, the time for initial disclosures, case management,
18 discovery, dispositive motions and trial. However, if the requested time modification is
19 granted, I believe the case will proceed in a more orderly fashion, and judicial economy will
20 be served.

21 I declare under penalty of perjury that the foregoing is true and correct. If called as a
22 witness I could testify competently thereto.

23 Executed this 8th day of January, at San Francisco, California.

24
25 _____
26 /S/
27 STEPHEN L. DAHM
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